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REMARKS

The Applicants herein have discovered a novel means of sealing a porous membrane within an all-metal vent body. Before the invention herein, it was understood that such a device would require sealants, gaskets or other elements to effect a seal between a metal vent body and a thin porous membrane. Each of the references cited by the examiner includes such additional sealing elements and therefore do not disclose or render obvious the present invention in which the seal is established by the interfering relation between the metal body and the membrane.

When used in a claim, the terminology "consisting essentially of" excludes additional unspecified ingredients which would affect the basic and novel characteristics of the product defined in the balance of the claim. In re Guamero, 162 USPQ 221, 223 (CCPA 1969). Rauter, Seibert et al., Mashiko et al., and Closkey all teach filter or vent designs which incorporate an additional article to establish a seal between the filter and the filter support. The independent claims of the present invention all recite in the preamble the phrase "consisting essentially of" to exclude such additional ingredients.

An additional sealing element is necessary in Rauter, which unequivocally states that "in order to prevent possible leakage of fluid . . . any conventional metal joining method, such as brazing, may be used to seal the filter to the housing." (Rauter, Column 6, lines 4-13)

Seibert et al. also requires a separate "means of sealing the filter to the housing including welding" (Seibert et al., Column 9, lines 21-23). Any method of metal joining may be used to seal the filter to prevent possible leakage of fluid (Seibert et al., Column 6, lines 12-13).

In Mashiko et al. a seal is obtained by using "various methods such as heat fusion, ultrasonic solvent welding and bonding with an adhesive or the like". (Mashiko et al., Column 6, lines 21-23)

Finally, Closkey uses a gasket, described as a "stiffening ring made of compressible material so that it serves as a seal element when squeezed between the cover and flange to" to effect a seal between the components. (Closkey, Column 4, lines 51-53).

Because the phrase "consisting essentially of" in the claims of the present invention limits the scope of the claim to the specified ingredients and those that do not materially affect the basic and novel


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characteristic(s) of a composition, the prior art cited does disclose or suggest the distinguishing feature of the present invention.

Applicants respectfully submit that the addition of any such sealing element as required in any of Rauter, Seibert et al., Mashiko et al., or Closkey to the current invention would materially affect the basic and novel characteristics of the claim.

In view of the foregoing, Applicants submit that independent Claims 1, 17, 34 and 35 are allowable. Further, Applicants submit that Claims 2 – 16 and 18 – 33, which depend from independent Claims 1 and 17, respectively are allowable for the same reasons as noted above, and further, since such claims are directed to further combinative features not disclosed or rendered obvious by the cited references.

Respectfully submitted,



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